

Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter which applicant(s) regard as their invention. "the first network" lacks proper antecedent basis.

In response, applicants have amended claim 18. The first network element now has proper antecedent basis. Therefore the § 112 rejection should be withdrawn.

Rejections under 35 U.S.C. § 102(a)

The Examiner has rejected claims 2, 16 and 11 as follows:

Claims 2, 16 and 11 are rejected under 35 U.S.C. § 102(a) as being unpatentable over the Etherphone system as disclosed by Rangan "Software Architecture for Integration of Video Services in the Etherphone System" and Vin "Multimedia conferencing in the Etherphone Environment".

As per claim 2, Rangan disclose the Etherphone is a conferencing system comprising: workstations having audio and video reproduction capabilities [p. 1396 fig. 1]; AV path for carrying AV signals [fig. 1]; AV conference manager [p. 1397 Macaw]; a participant locator [apparent from p. 1398 "if a participant moves to new location, macaw reroutes ... to new location"].

Vin discloses the Etherphone system has a participant locator that associate the workstation at with the participant login [p. 72 col. 2 line 11-19 "locator devices"].

As per claim 16, the Etherphone system has digital data path {Ethernet}.

As per claim 11, it is rejected under similar rationale as for claim 2 above.

Applicant respectfully disagrees with this assertion by the Examiner. Claim 2 is limited to a system "configured to associate a participant with only each workstation at which the participant logs in to route a videoconference call for that participant, to each workstation at which that participant is logged in." Analysis demonstrates that this function differs fundamentally from the "call forwarding" and "visiting" functions disclosed in the references cited by the Examiner.

Call forwarding is commonly used in telephone communications. When a telephone user's phone is first configured, the telephone company or (private branch exchange) PBX assigns a telephone number to that telephone. This telephone number is statically associated ("dedicated") with a specific, default "home" location. Call forwarding function allows the default location to be changed so that calls are forwarded to a location other than the default location. Thus, there exists a concept of a default "home" location that must be changed

proactively by the user taking specific "call forwarding" steps. Should these steps not be taken, calls will *always* be directed to the default location.

This call forwarding differs from the "locating" function (quoted above) of claim 2 in two basic respects.

First, as discussed above, call forwarding is a function requiring proactive action (i.e., affirmative steps) by a user, to inform the system that calls be forwarded from the home location to the remote workstation. By contrast, the claimed functionality routes a call to the user to any location based solely on where the user is "logged in."

Second, because call forwarding functions via a previously assigned default address ("telephone number" as described above in relation to telephonic communications), a call is always directed to this default address *unless* the call is "forwarded" to a remote location. In contrast, the functionality claimed in claim 2 does not have a default address and, therefore, never "forwards" a call. Rather, the system makes a *direct* connection to the user based solely on log in. Thus, there is, in the broad sense, no need for a home or default location. In fact, the user's usual workstation could be completely disabled from the system without affecting the "locating" function of the system.

The Examiner may wish to argue that the "locator devices" in Vin anticipate the claimed invention. It is submitted that they do not. These "devices" are used in conjunction with the "visiting" function of Vin. As described in Vin at p.72, Col.2, 3rd ¶, the visiting function causes calls to "ring simultaneously at the user's original site and at a temporary site, which is identified either by explicit command or by locator devices." Thus, the locator device works when the user logs into a location other than the default location. By stark contrast, the claimed "locator" functionality is independent of how many workstations the user is logged into. For example, the function operates even if the user is logged onto only one remote workstation. Vin does not teach this.



The same arguments above apply to claim 25 (a method claim replacing claim 11 and analogous to the apparatus claim of claim 2).

Based on the above arguments, therefore, neither Vin nor Rangan individually disclose the locator functionality claimed in claims 2 and 25. Consequently, the § 102(a) rejections to these claims should be withdrawn.

Claim 16 depends on claim 2. Therefore, as it depends on allowable base claim, it too is in condition for allowance.

Applicants have also added new independent claims 26 and 36. These claims include a limitation to data conferencing in which data is shared interactively among the participants. Neither Vin nor Rangan teach data conferencing. As Section 102(a) requires that an individual reference teach every element of a claim, neither Rangan nor Vin, can sustain a § 102(a) rejection of claims 25 and 35.

Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 3-10 and 12-15 as follows:

Claims 3-10, 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Etherphone system as disclosed by Rangan "Software Architecture for Integration of Video Services in the Etherphone System" and Vin Multimedia conferencing in the Etherphone Environment.

As per claims 3 and 12-13, Rangan and Vin do not specifically disclose a service directory of the workstation audio video capability. Vin discloses the Etherphone system support conferencing using common capabilities or mixed capabilities by determining audio video capabilities of the workstations [p. 72 col. 3]. Hence, it would have been obvious or one of ordinary skill in the art to have directory for determining audio, video capabilities of the workstation participating in the conference.

As per claim 4, Rangan disclose switches to establish teleconference between participants [p. 1396 fig. 1 "Matrix switch"]. The number of switches and participant supported would have been a matter of design choice. It would have been obvious for one of ordinary skill in the art to have the appropriate number of switches to support a desired number of participants.

As per claim 5, Rangan does not disclose Wide Area network (WAN) switches. However it is well known in the art to have WAN switches (gateway) for connecting workstations over geographically dispersed locations.

As per claim 6, it is rejected under similar rationale as for claim 3 above.

As per claim 7, it is apparent that the conference manager would choose reproduce devices based on availability.

As per claims 8-9, Rangan discloses user interface art to provide user selecting capability of reproduction devices [p. 1397 col. 1 last paragraph].

As per claims 10 and 15, the reference does not specifically disclose format conversion. However it is well known in the art to have converter for different AV signal encoding. It would have been well within the level of one of ordinary skill in the art to have converter for converting the AV format.

As per claim 14, Rangan disclose interfacing to external video production device [p. 1396 fig. 1 Optical disc].

The Examiner has also rejected claims 17-21 under § 103(a) as follows:

Claims 17-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Etherphone system as disclosed by Rangan and Vin and further in view of Champa US patent 5,315,633.

As per claim 17, Rangan and Vin do not disclose codecs and AV switch for routing signal from first to second location via a third location. Champa teaches a teleconferencing system comprising:

an AV path [fig. 4 # 45] for carrying AV signals, connecting the first workstation [fig. 4] to a second work station [another station as in fig. 4] via a third location [control hub fig. 5, see col. 7 lines 34-40];

first, second codecs [fig. 4 #41], and third codecs [fig. 5 #76] at said first, second and third locations configured to compress AV signal;

an AV switch [fig. 5 switch #57] at the third location operable to route compressed AV signals to other locations without said compressed AV signals being decompressed by said third codec [apparent from col. 6 and fig. 5 - from fig. 5, it is clear that the third codec (76) only code/decode signal for the link 75. All other signal would pass through the switch untouched by the codec 76].

It would have been obvious for one of ordinary skill in the art to combine Champa teaching with the EtherPhone system because it would have improved the system by enabling conference over wide area network.

As per claim 19 and 20, the frames rate are inherent characteristic of the system. The particular frame rate would have been a matter of design choice depending upon the quality of video playback required.

As per claim 21, it is rejected under similar rationales as for claim 17 above.

Finally, the Examiner has rejected claims 18 and 22-24 as follows:

Claims 18, 22-24 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the Etherphone system as disclosed by Rangan, Vin and Champa and further in view of IBM Technical Disclosure Bulletin Vol. 34, no. 7a, Dec. 1991.

As per claim 18, Champa does not specifically disclose a data conference manager using network protocol to control the video conference. IBM disclosure teaches a data conference manager [Conference server] controlling video conference [tuners, Rfmod, Codec] using data network [LAN]. Hence, it would have been obvious for one of ordinary skill in the art to have data manager using network protocol to control AV conference because it would have enable integration of data and AV conferences.

As per claim 22, it is rejected under similar rationales as for claim 18 above.

As per claims 23-24 they are rejected under similar rationales as for claims 19-20 above.

In response to these rejections, Applicants point out that, neither Rangan, Vin, Champa, nor the IBM Technical Disclosure Bulletin Vol. 34, no.7a, Dec 1991, teach or suggest, either alone or when combined, the "locator" functionality claimed. As they do not teach this functionality, they cannot support a § 103 rejection *unless* the Examiner provides a compelling line of reasoning that they do so. (M.P.E.P. § 2143.03 (Rev. 2, July 1996); M.P.E.P. § 2142 (Rev. 2, July 1996)).

Therefore, because claims 2 and 11 are in a condition for allowance (for lack of a sustainable § 102(a) or § 103 rejection), so too are the claims depending on them as allowable base claims.

CONCLUSION

For all the above reasons, Applicant's request allowance of the claims in this application at the Examiner's earliest convenience. Should the Examiner believe a further conference will expedite the allowance, contact with the undersigned is requested.

Respectfully submitted,


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